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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/587,803

07/31/2006

Bjorn Crona

0904-013

5205

42015 7590 11/13/2008  
POTOMAC PATENT GROUP PLLC  
P. O. BOX 270  
FREDERICKSBURG, VA 22404

EXAMINER

HOANG, PHI

ART UNIT

PAPER NUMBER

2628

NOTIFICATION DATE

DELIVERY MODE

11/13/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

tammy@ppglaw.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/587,803	<b>Applicant(s)</b> CRONA, BJORN	
	<b>Examiner</b> PHI HOANG	<b>Art Unit</b> 2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>31 July 2006</u>  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morito (US 6,003,577) in view of Russon (US 2003/0220894 A1) and further in view of Braun et al. (US 2005/0089247 A1).

3. Regarding claim 1, Morito discloses a method of creating a pattern for a bead-inlaid plate using a computer, comprising the steps of: providing a colour picture, (Column 1, lines 6-10 and column 3, lines 10-19)

converting the colour picture to a digital image file suited for electronic processing, (Column 3, lines 10-19, a picture captured by a digital camera is in a digital format)

dividing the selected area of the shown picture into a grid of intersecting lines including squares of a uniform size, each of said squares corresponding to a bead on the bead-inlaid plate, so that the grid of intersecting lines also corresponds to the selected format, (Figure 2 and column 3, lines 26-45)

determining according to a predetermined algorithm for each square that colour among colours available for beads which best represents or agrees with the colour of the square, (Column 4, lines 18-27)

showing on the monitor a picture of the selected area including the colour determined for the square in each square, (Column 4, lines 18-27, it is obvious that a digital image even if altered in color can be shown on a display device)

and finally printing a pattern including the selected colours for the bead-inlaid plate (Column 6, lines 4-9).

Morito does not clearly disclose showing on a monitor associated with the computer the picture that corresponds to the digital image file, selecting on the monitor, using a user input device of the computer, an area of the shown picture for which a pattern is to be created, and changing on the monitor, using a user input device of the computer, at least one colour quantity for the picture of the selected area and/or changing the colour in individual squares.

Russon discloses showing on a monitor associated with the computer the picture that corresponds to the digital image file, selecting on the monitor, using a user input device of the computer, an area of the shown picture for which a pattern is to be created, (Page 2, paragraph 0027, an image editor used on a computer system allows for an image to be cropped by a user)

changing on the monitor, using a user input device of the computer, at least one colour quantity for the picture of the selected area and/or changing the colour in

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individual squares (Page 2, paragraph 0027, the image editor can alter the brightness, tint and colors of the image).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Morito to edit an image to be used in a final presentation as disclosed by Russon because a user can alter the image to their preferences.

Morito in view of Russon does not clearly disclose selecting a format of a bead-inlaid plate.

Braun discloses selecting a format of a bead-inlaid plate (Page 3, paragraph 0047).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Morito in view of Russon to adjust the dimensions of the final image to meet the specifications of the material to be output to as disclosed by Braun because by adjusting the dimensions of the image to the medium allows the image to fit within the medium.

4. Regarding claim 2, Morito in view of Russon (Page 2, paragraph 0027) and further in view of Braun discloses the colour quantities include lightness, colour saturation and colour scale.

5. Regarding claim 3, Morito in view of Russon and further in view of Braun (Page 3, paragraph 0047, the image is cropped with a change in dimensions if the image exceeds the dimensions) discloses the steps of selecting format and dividing the

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selected area include the substeps that an initial format is first selected, that thereupon the selected area is divided according to the initial format, that on the monitor a picture including a grid of intersecting lines drawn according to the initial format is shown, that on the monitor, using a user input device of the computer, the initial format is changed to a changed format, that thereupon the selected area is divided according to the changed format, these substeps being repeated until a desired format has been obtained.

6. Regarding claim 4, Morito discloses a device for forming a pattern for a bead-inlaid plate, comprising a computer including a receiving device for a digital image file suited for electronic processing, the computer including a unit for showing on the monitor associated with the computer the picture that corresponds to the digital image file, (Column 1, lines 6-10) and column 3, lines 10-19)

a unit for dividing the selected area in the shown picture in a grid of intersecting lines including squares of a uniform size which each correspond to a bead on the bead-inlaid plate, so that the grid of intersecting lines also correspond to the selected format, (Figure 2 and column 3, lines 26-45)

a unit for determining, according to a predetermined algorithm, for each square that colour hue among colour hues available for the beads which best represents or agrees with the colour hue in the square, (Column 4, lines 18-27)

a unit for showing on the monitor a picture of the selected area including the colour determined for each square in each square, (Column 4, lines 18-27, it is obvious that a digital image even if altered in color can be shown on a display device)

and a unit for finally printing a pattern including the selected colours for the bead-inlaid plate (Column 6, lines 4-9).

Morito does not clearly disclose a unit for selecting on the monitor, using one of the user input devices of the computer, an area of the shown picture for which a pattern is to be formed, and a unit for selecting on the monitor, using a user input device of the computer, at least one colour quantity for the picture of the selected area and/or changing the colours in individual squares.

Russon discloses a unit for selecting on the monitor, using one of the user input devices of the computer, an area of the shown picture for which a pattern is to be formed, (Page 2, paragraph 0027, an image editor used on a computer system allows for an image to be cropped by a user)

a unit for selecting on the monitor, using a user input device of the computer, at least one colour quantity for the picture of the selected area and/or changing the colours in individual squares (Page 2, paragraph 0027, the image editor can alter the brightness, tint and colors of the image).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Morito to edit an image to be used in a final presentation as disclosed by Russon because a user can alter the image to their preferences.

Morito in view of Russon does not clearly disclose a unit for selecting a format of a bead-inlaid plate.

Braun discloses a unit for selecting a format of a bead-inlaid plate (Page 3, paragraph 0047).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Morito in view of Russon to adjust the dimensions of the final image to meet the specifications of the material to be output to as disclosed by Braun because by adjusting the dimensions of the image to the medium allows the image to fit within the medium.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schultz et al. (US 2005/0062988 A1) Using a Removable Grid for Alignment and Trim Adjustments for Printing Jobs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHI HOANG whose telephone number is (571)270-3417. The examiner can normally be reached on Mon-Fri, 8:30am-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xiao Wu can be reached on 571-272-7761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phi Hoang/  
Examiner, Art Unit 2628  
November 8, 2008

/XIAO M. WU/  
Supervisory Patent Examiner, Art Unit 2628